

PRIVATE SECURITY SERVICES ADVISORY BOARD
Legislative Committee Meeting
September 23, 2002

Draft Report

A meeting of the Private Security Services Advisory Board (PSSAB) Legislative Committee was held on September 23, 2002 at 10:00 a.m., at ADI located at 5655-C General Washington Drive, Alexandria, Virginia. The following committee members were in attendance:

1. Deborah Aylward, PSSAB
2. Mary Kay Wakefield, PSSAB
3. Emil A. Wengel, VBFAA
4. Martha M. Clancy, PISA
5. John Kochensparger, VBFAA (and for VSA)
6. John Rennish, PIAVA

The following committee members were absent:

1. Sean Creamer
2. George Haudricort,
3. Harris Kern
4. Bill Robbins

Eleven (11) interested parties were in attendance.

Minutes

Mary Kay Wakefield moved that the minutes of the August 19, 2002 meeting be approved as posted on the PSSAB website. The motion was passed.

Sub-committee Reports

1. Definition Review: No report

2. Electronic Security Juvenile Laborers: Emil Wengel recommended that this issue warranted further study.

3. Recurring Criminal History Checks: Mary Kay Wakefield moved not to carry forward with this issue and the motion was passed.

Unfinished Business

1. FOIA Exemption

a) Deborah Aylward moved to reconsider the vote made on 8/19/02 to carry forward this issue and the motion was passed. Mr. Leon Baker suggested that (as an alternative to a legislative initiative) certain publicly accessible registrant records maintained by DCJS might be protected through changes to the regulations instead.

b) Deborah Aylward moved that this issue not be carried forward and the motion was passed.

2. Accident Reconstruction Specialists Exemption

John Kochensparger moved that the industry support opposition to any proposed legislation exempting accident reconstruction specialists. The motion was passed.

3. Propriety Security Measure

This initiative had been referred to the PSSAB Proprietary Security Committee. No action was recommended.

4. Private Investigator Access to Court Records

It was recommended that this issue be closely monitored, that the industry support private investigators continued access to court records and be poised for legislative action if necessary.

5. Definition of Armed and Unarmed Security Officers

a) Martha Clancy moved to adopt definitions as previously presented. Comments from interested parties were considered and discussion produced recommended wording as follows.

Code of Virginia, Section 9.1-138, Definitions.

"Armed Security Officer" means a *natural person employed to(i) safeguard and protect persons and property or (ii) prevent theft, loss, or concealment of any tangible or intangible personal property on the premises contracted to protect, and* **who carries or has immediate access to a firearm in the performance of his duties.**

Note: This represents addition to ASO def - addition taken from current SO definition.) Should the word *personal* which modifies property be deleted? - this should cover not only personal property but also business property?

Delete **definition of "Security Officer"**.

"Unarmed Security Officer" means a *natural person who performs the functions of observation, detection, reporting, or notification of appropriate authorities regarding persons or property on the premises contracted to protect, and* **who does not carry or have immediate access to a firearm in the performance of his duties.**

(This represents addition to include functions of the USO at a reasonable standard of care.)

09/23/02 PSSAB Legislative Committee Report (Draft)

b) Martha Clancy moved to adopt proposed initiative as amended. The motion was passed.

New Business

1. Photo Identification

Emil Wengel moved to propose legislation that would mandate a standardized, state issued photo identification for members of the private security industry. The motion was not passed.

2. Adopt Resolution

Deborah Aylward moved to approve and adopt the following resolution. The motion was passed.

RESOLUTION

Whereas, the Private Security Services Advisory Board (PSSAB) appointed a Legislative Committee to receive, review and make recommendations regarding legislative proposals submitted by interested parties; and

Whereas, the legislative proposals relate to regulation of private security services businesses and, if enacted, would effect public policy, and

Whereas, the committee solicited, received, reviewed and considered comments about legislative proposals and were drafted in the form of a Legislative Committee Report; and

Whereas, the Legislative Committee Report was communicated to interested parties through public notice and meetings; and

Be it resolved the Legislative Committee approve the committee report; and adopts this resolution for presentation at the October 9 2002 board meeting.

ADJOURN

There being no further business, the meeting was adjourned at approximately 12:20 p.m.

Prepared and submitted by Deborah Aylward, Chairman on 09/25/02